

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN VON STAICH,

Plaintiff,

v.

U.S. PAROLE COMMISSION,

Defendant.

Case No. 1:21-cv-00628-HBK

ORDER GRANTING PETITIONER'S  
MOTION FOR JUDICIAL NOTICE

(Doc. No. 17)

Petitioner Ivan Von Staich initiated this action by filing a *pro se* petition for writ of mandamus under 28 U.S.C. § 1651. (Doc. No. 1). On September 27, 2021, Petitioner moved for the Court to take judicial notice of federal statutes 18 U.S.C. § 3585(b)<sup>1</sup> and 18 U.S.C. § 4163.<sup>2</sup> (Doc. No. 17). Under Federal Rule of Evidence 201(b)(2), “[t]he court may judicially notice a fact that is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Federal statutes can be accurately and readily determined from sources of which its accuracy cannot reasonably be questioned. Therefore, to the extent the cited federal statutes are relevant to Petitioner’s case, not conceded, the Court will judicially notice them. This order is not to be construed as a ruling on the merits of Petitioner’s claim and/or the applicability of the identified statutes to Petitioner’s

<sup>1</sup> The statute addresses calculation of a term of imprisonment and credit for prior custody.

<sup>2</sup> The statute was repealed effective November 1, 1987.

1 case.

2 Accordingly, it is ORDERED:

3 Petitioner's request for judicial notice (Doc. No. 17) is granted to the limited extent set  
4 forth herein.

5  
6 Dated: September 29, 2021

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE